

## **IN THE CLAIMS:**

A complete listing of the Claims is set forth below. Please amend the Claims as follows:

1. **(Currently Amended)** A computer-implemented system for managing a ~~deviation from nominal~~ excess or under capacity at a first entity in a supply chain, the system comprising:

at least one computer system comprising:

a ~~planning application operable to receive~~ application, the planning application receives status data for at least the first entity reflecting the ~~deviation from nominal~~ excess or under capacity at the first entity and ~~to generate~~ generates a plan according to the status data; and

a ~~manager application operable to receive~~ application, the manager application receives the plan and, according to the plan, ~~to automatically initiate~~ initiates at least one service in an attempt to resolve at least a portion of the ~~deviation from nominal~~ excess or under capacity through interaction with one or more other entities, ~~the manager application operable to select~~ entities and selects the service from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services.

2. **(Original)** The system of Claim 1, wherein the planning application is a supply chain planning engine, the first entity is a first enterprise, and the plan is a supply chain plan for at least a portion of the supply chain containing the first enterprise.

3. **(Original)** The system of Claim 1, wherein the status data comprises data selected from the group consisting of:

demand data;  
supply data;  
inventory data; and  
capacity data.

4. **(Canceled)**

5. **(Original)** The system of Claim 1, wherein the planning application is operable to receive status data from one or more other entities in the supply chain, the plan being generated according to all of the status data for the supply chain.

6. **(Original)** The system of Claim 1, wherein the planning application generates the plan further according to a model incorporating at least the first entity.

7. **(Currently Amended)** The system of Claim 1, wherein the manager application is operable to, in response to initiating the service, perform an action to resolve at least a portion of the ~~deviation from nominal~~ excess or under capacity, the action selected from the group consisting of:

sell items to one or more other entities according to a previously existing contract between the first entity and the one or more other entity;

purchase items from one or more other entities according to a previously existing contract between the first entity and the one or more other entity;

sell items to one or more other entities in an auction;

purchase items from one or more other entities in a reverse auction;

post items in a catalog of the first entity for sale to one or more other entities;

purchase items posted in a catalog of one or more other entities;

post items in an inventory listing service for sale to one or more other entities;

and

purchase items posted in an inventory listing service by one or more other entities.

8. **(Currently Amended)** The system of Claim 1, wherein the manager application is operable to initiate multiple services to attempt to resolve the ~~deviation from nominal~~ excess or under capacity, a first service is initiated to attempt to resolve a first portion of the ~~deviation from nominal~~ excess or under capacity, and a second service is initiated to attempt to resolve a second portion of the ~~deviation from nominal~~ excess or under capacity.

9. **(Currently Amended)** The system of Claim 1, wherein the manager application is operable to interact with the other entities automatically to resolve the ~~deviation from nominal~~ excess or under capacity according to the plan.

10. **(Original)** The system of Claim 1, further comprising an electronic marketplace that supports the planning application and the manager application.

11. **(Withdrawn)** An electronic marketplace for managing excess or under capacity at one or more enterprises in a supply chain, comprising:

a planning application operable to receive status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, the planning application operable to generate a plan according to the status data for the plurality of enterprises in the supply chain and further according to a model incorporating the plurality of enterprises in the supply chain; and

a manager application operable to receive the plan and, according to the plan, to automatically initiate at least one service in an attempt to resolve at least a portion of the excess or under capacity through interaction with one or more other enterprises, the manager application operable to select the service from among a plurality of available services based on a monetary value to the first enterprise of a resolution expected to be available using the selected service, the manager application further operable to manage transfer of items from or to the first enterprise from one or more other enterprises to resolve the excess or under capacity, respectively.

12. **(Withdrawn)** The marketplace of Claim 11, wherein the status data comprises data selected from the group consisting of:

demand data;

supply data;

inventory data; and

capacity data.

13. **(Withdrawn)** The marketplace of Claim 11, wherein the manager application is operable to, in response to initiating the service, perform an action to resolve at least a portion of the excess or under capacity, the action selected from the group consisting of:

sell items to another entity according to a previously existing contract between the first entity and the other entity;

purchase items from another entity according to a previously existing contract between the first entity and the other entity;

sell items to another entity in an auction;

purchase items from another entity in a reverse auction;

post items in a catalog of the first entity for sale to another entity;

purchase items posted in a catalog of another entity;

post items in an inventory listing service for sale to another entity; and

purchase items posted in an inventory listing service by another entity.

14. **(Withdrawn)** The marketplace of Claim 11, wherein the manager application is operable to initiate multiple services to attempt to resolve the excess or under capacity, a first service being initiated to attempt to resolve a first portion of the excess or under capacity and a second service being initiated to attempt to resolve a second portion of the excess or under capacity.

15. **(Withdrawn)** A method of managing a capacity extreme at a first entity in a supply chain, comprising:

receiving status data for at least the first entity reflecting the capacity extreme at the first entity;

automatically generating a plan according to the status data; and

according to the plan, automatically initiating at least one service in an attempt to resolve at least a portion of the capacity extreme through interaction with one or more other entities, the service being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services.

16. **(Withdrawn)** The method of Claim 15, wherein the first entity is a first enterprise and the plan is a supply chain plan for at least a portion of the supply chain containing the first enterprise.

17. **(Withdrawn)** The method of Claim 15, wherein the status data comprises data selected from the group consisting of:

demand data;

supply data;

inventory data; and

capacity data.

18. **(Withdrawn)** The method of Claim 15, wherein the capacity extreme is selected from the group consisting of excess capacity and under capacity.

19. **(Withdrawn)** The method of Claim 15, further comprising receiving status data from one or more other entities in the supply chain, the plan being generated according to all of the status data for the supply chain.

20. **(Withdrawn)** The method of Claim 15, wherein the plan is generated further according to a model incorporating at least the first entity.

21. **(Withdrawn)** The method of Claim 15, further comprising, in response to initiating the service, performing an action to resolve at least a portion of the capacity extreme, the action selected from the group consisting of:

sell items to another entity according to a previously existing contract between the first entity and the other entity;

purchase items from another entity according to a previously existing contract between the first entity and the other entity;

sell items to another entity in an auction;

purchase items from another entity in a reverse auction;

post items in a catalog of the first entity for sale to another entity;

purchase items posted in a catalog of another entity;

post items in an inventory listing service for sale to another entity; and

purchase items posted in an inventory listing service by another entity.

22. **(Withdrawn)** The method of Claim 15, further comprising initiating multiple services to attempt to resolve the capacity extreme, a first service being initiated in an attempt to resolve a first portion of the capacity extreme and a second service being initiated in an attempt to resolve a second portion of the capacity extreme.



23. **(Withdrawn)** The method of Claim 15, further comprising interacting with the other entities automatically to resolve the capacity extreme according to the plan.

24. **(Withdrawn)** A computer-readable medium having encoded thereon software for managing a capacity extreme at a first entity in a supply chain, the software comprising instructions for:

receiving status data for at least the first entity reflecting the capacity extreme at the first entity;

automatically generating a plan according to the status data; and

according to the plan, automatically initiating at least one service in an attempt to resolve at least a portion of the capacity extreme through interaction with one or more other entities, the service being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services.

25. **(Canceled)**

26. **(Currently Amended)** A computer-implemented system for resolving excess or under capacity at one or more enterprises in a supply chain, the system comprising:

at least one computer system comprising:

~~a supply chain planning application operable to receive application, the supply chain planning application receives~~ status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, ~~the planning application further operable to access~~ accesses a supply chain model incorporating at least ~~these enterprises~~ the plurality of enterprises in the supply chain and ~~to generate~~ generates a supply chain plan according to the status data for at least ~~these enterprises~~ the plurality of enterprises in the supply chain; and

~~a manager application operable to receive application, the manager application receives the generated supply chain plan, to automatically initiate~~ initiates at least one service according to the generated supply chain plan, and ~~to automatically perform~~ performs an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other entities; entities in the supply chain, the service being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services. ~~services, the action being selected from the group consisting of:~~

~~sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~purchase items from one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~sell items to one or more other entities in an auction;~~

~~purchase items from one or more other entities in a reverse auction;~~

~~post items in a catalog of the first enterprise for sale to one or more other entities;~~

~~purchase items posted in a catalog of one or more other entities;~~

~~post items in an inventory listing service for sale to one or more other entities;~~  
and

~~purchase items posted in an inventory listing service by one or more other~~  
~~entities.~~

27. **(Currently Amended)** A computer-implemented electronic marketplace, using one or more computer systems at one or more locations, for resolving excess or under capacity at one or more enterprises in a supply chain, comprising:

at least one of the one or more computer systems comprising:

~~a supply chain planning application operable to to: receive, using the one or more computer systems, the supply chain planning engine receives~~ status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain, ~~chain, the planning application further operable to access~~ accesses a supply chain model incorporating at least ~~these enterprises the plurality of enterprises in the supply chain~~, and ~~to generate~~ generates a supply chain plan according to the status data for at least ~~these enterprises the plurality of enterprises in the supply chain~~; and

~~a manager application operable to receive, using the one or more computer systems, application, the manager application receives the generated supply chain plan, to automatically initiate~~ initiates at least one service according to the generated supply chain plan, and ~~to automatically perform~~ performs an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other ~~entities, entities in the supply chain~~, the services being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services, ~~services, the action being selected from the group consisting of:~~

~~sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~purchase items from one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~sell items to one or more other entities in an auction;~~

~~purchase items from one or more other entities in a reverse auction;~~

~~post items in a catalog of the first enterprise for sale to one or more other entities;~~

~~purchase items posted in a catalog of one or more other entities;~~  
~~post items in an inventory listing service for sale to one or more other entities;~~  
and  
~~purchase items posted in an inventory listing service by one or more other~~  
~~entities.~~

28. **(Currently Amended)** A computer-implemented method for resolving excess or under capacity at one or more enterprises in a supply chain, the method comprising:

~~a supply chain planning application operable to receive~~ receiving status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain; ~~chain, the planning application further operable to access~~

accessing a supply chain model incorporating at least ~~these enterprises and to generate the plurality of enterprises in the supply chain~~;

generating a supply chain plan according to the status data for at least ~~these enterprises; and the plurality of enterprises in the supply chain~~;

~~a manager application operable to receive the plan, to automatically initiate~~ initiating at least one service according to the ~~plan, plan~~; and to

automatically ~~perform~~ performing an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other ~~entities, entities in the supply chain~~, the service being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services. ~~services, the action being selected from the group consisting of:~~

~~sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~purchase items from one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~sell items to one or more other entities in an auction;~~

~~purchase items from one or more other entities in a reverse auction;~~

~~post items in a catalog of the first enterprise for sale to one or more other entities;~~

~~purchase items posted in a catalog of one or more other entities;~~

~~post items in an inventory listing service for sale to one or more other entities;~~  
and

~~purchase items posted in an inventory listing service by one or more other~~  
~~entities.~~

29. **(Currently Amended)** A computer-readable medium having encoded thereon software for resolving excess or under capacity at one or more enterprises in a supply chain, the software comprising instructions for:

receiving status data for a plurality of enterprises in the supply chain, the status data reflecting excess or under capacity at a first enterprise in the supply chain;

accessing a supply chain model incorporating at least ~~these enterprises;~~ the plurality of enterprises in the supply chain;

generating a supply chain plan according to the status data for at least ~~these enterprises;~~ the plurality of enterprises in the supply chain;

automatically initiating at least one service according to the generated supply chain plan, the service being selected from among a plurality of available services based on a monetary value to the first entity of a resolution expected to be available using the selected service relative to other services; and

automatically performing an action, in response to initiating the at least one service, to resolve at least a portion of the excess or under capacity at the first enterprise through interaction with one or more other ~~entities;~~ entities in the supply chain. ~~the action being selected from the group consisting of:~~

~~sell items to one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~purchase items from one or more other entities according to a previously existing contract between the first enterprise and the one or more other entity;~~

~~sell items to one or more other entities in an auction;~~

~~purchase items from one or more other entities in a reverse auction;~~

~~post items in a catalog of the first enterprise for sale to one or more other entities;~~

~~purchase items posted in a catalog of one or more other entities;~~

~~post items in an inventory listing service for sale to one or more other entities;~~

and



~~purchase items posted in an inventory listing service by one or more other entities.~~